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#161/CPA
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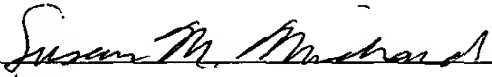
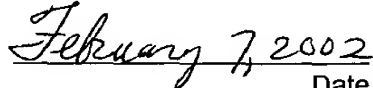
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CONTINUED PROSECUTION APPLICATION TRANSMITTAL UNDER 37 CFR §1.53(d)	
Attorney Docket Number	50010/007006
Applicants	Richard F Selden, Douglas Treco, Michael W. Heartlein
Title	In Vivo Production and Delivery of Erythropoietin or Insulinotropin for Gene Therapy
PRIORITY INFORMATION:	
This is a request for a continuation application under 37 C.F.R. § 1.53(d) (continued prosecution application (CPA)) of prior United States patent application 09/328,130, filed June 8, 1999, which is a continuation of U.S. Serial No. 08/334,455, filed November 4, 1994, U.S. Patent No. 5,994,127, which is a continuation of U.S. Serial No. 07/911,533, filed July 10, 1992, which is a continuation-in-part of U.S. Serial No. 07/787,840, filed November 5, 1991, which is a continuation-in-part of U.S. Serial No. 07/789,188, filed November 5, 1991.	
FILING QUALIFICATIONS:	
The prior application is a nonprovisional application that is either 1) complete as defined by 37 C.F.R. § 1.51(b); or 2) the national stage application of an international application in compliance with 35 U.S.C. § 371.	
EXPRESS ABANDONMENT:	
This request for a CPA expressly abandons the prior application as of the filing date of this request.	
ACCESS TO PRIOR APPLICATION:	
This request for a CPA is construed to include a waiver of confidentiality by the applicant under 35 U.S.C. § 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. § 1.14 to have access to, copies of, or information concerning the prior application may be given similar access to, copies of, or similar information concerning the other application or applications in the file jacket.	
35 U.S.C. § 120 STATEMENT:	
This request for a CPA is the specific reference required by 35 U.S.C. § 120 to the prior application.	
PAPERS ENCLOSED:	
<input type="checkbox"/>	1. Please enter the unentered amendment previously filed on [**DATE**] under 37 C.F.R. § 1.116 in the prior application. Amendment Date: 02/27/2002 JOHNS04
<input type="checkbox"/>	2. Please enter the enclosed preliminary amendment of [**] pages. 02/14/2002 AMENDAF1 00000121 032095 09328130

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	3. This application is filed by fewer than all of the inventors named in the prior application, 37 C.F.R. § 1.53(d)(4). Please delete the following inventors: [**NAMES OF DELETED INVENTORS**]	
	4. Enclosed is a new power of attorney of [**] pages.	
	5. Enclosed is an IDS of [**] pages; a form PTO-1449 of [**] pages; and [**] cited references.	
	6a. Enclosed is a small entity statement newly signed for this application.	
	6b. A small entity statement was filed in the prior application. Such status is proper and desired.	
X	6c. Applicant claims small entity status under 37 C.F.R. § 1.27.	
	6d. Small entity status is not applicable or is no longer claimed.	
X	7. The filing fee is not being paid at this time.	
FILING FEES:		
Basic Filing Fee:		\$370.00
Excess Claims Fee: [**TOTAL**] - 20 x \$18/\$9		\$0.00
Excess Independent Claims Fee: [**TOTAL**] - 3 x \$84/\$42		\$0.00
Multiple Dependent Claims Fee: \$280/\$140		\$0.00
Total Fees:		\$370.00
CORRESPONDENCE ADDRESS:		
<div style="display: flex; justify-content: space-between;"> <div> Susan M. Michaud, Ph.D. Reg. No. 42,885 Clark & Elbing LLP 176 Federal Street Boston, MA 02110 Customer No.: 21559 </div> <div style="text-align: center;">  21559 <small>PATENT, TRADEMARK OFFICE</small> </div> <div> Telephone: 617-428-0200 Facsimile: 617-428-7045 </div> </div>		
 Signature		 Date